

District Court, Water Division _____, Colorado Court Address: _____  CONCERNING THE APPLICATION FOR WATER RIGHTS OF Applicant:  In the _____ River or its Tributaries In _____ COUNTY	<b>▲ COURT USE ONLY ▲</b>
Attorney or Party Without Attorney (Name and Address):   Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: _____ Division: _____ Courtroom: _____
<b>APPLICATION FOR UNDERGROUND WATER RIGHTS          IN THE DENVER BASIN AQUIFERS</b>	

1. Name, address, email address, and telephone number of applicant(s) (if there are multiple applicants, and the space provided is not adequate to list all of the applicants, the names, addresses, telephone numbers and available email addresses must be provided as an attachment):

Name of Applicant	Address	Email address	Telephone Number

If multiple applicants are listed the following must be completed:

- All of the applicants listed have joint ownership of the parcel(s), and/or joint consent to withdraw the water underlying the parcel(s), which is/are the subject of this application.
- The Applicants own separate parcels of land, and/or have consent to withdraw the water underlying separate parcels of land, and request that this Court determine that Applicants have the right to withdraw all of the legally available groundwater lying below all of the subject parcels of land, through a single well or multiple wells constructed at any location on the subject parcels of land. In addition the applicant claims:
  - All of the parcels of land claimed in this application are contiguous (that is, no part of land claimed in the application is physically separate from the rest of the land), or
  - The parcels are non-contiguous but could satisfy Rule 11.B of the Statewide Nontributary Ground Water Rules (2 CCR 402-7) as demonstrated by the attached information (documentation of such claim must be attached). Please see the instructions regarding this Rule if the applicant has questions.

2. Background:

- A. Parcel description information (if multiple parcels are being described the information shown below must be provided for each parcel along with a map and legal description of the parcel, as an attachment)

The parcel of land consists of \_\_\_\_\_ acres, more or less, in \_\_\_\_\_ County (or Counties), located generally in Section(s) \_\_\_\_\_, Township(s) \_\_\_\_\_, Range(s) \_\_\_\_\_, of the 6<sup>th</sup> Principal Meridian (**attach a map**). **A legal description of the subject parcel of land is attached hereto** ("Subject Property")

- B. Parcel ownership:

The claim of Applicant(s) to the water underlying the parcel(s) described in 2A is based on ownership of the parcels:  Yes  No.

If **No**, the Applicant must provide a) the written consent from the owner(s) of the overlying land to the applicant, which consent includes a legal description of the land and identification of the aquifers for which consent has been given, and b) an instrument evidencing ownership of such land by such consenting owner(s) at the time such consent was granted.

- C. This application seeks a decree adjudicating all or part of the nontributary and not nontributary ground water in the Denver Basin aquifers underlying the Subject Property. Such aquifers may include the Upper Dawson, Lower Dawson, Denver, Upper Arapahoe, Lower Arapahoe and Laramie-Fox Hills aquifers; the actual aquifers will be those that are determined to be available underlying the Subject Property in accordance with the Denver Basin Rules (2 CCR 402-6).

The Applicant(s) seek to adjudicate the Denver Basin ground water underlying the Subject Property in all of the available aquifers, or

The Applicant(s) seek to adjudicate the Denver Basin ground water underlying the Subject Property in all of the available aquifers, except for the following aquifer(s): \_\_\_\_\_.

The Applicant(s) may seek to not adjudicate a portion of the water in one or more of the claimed aquifers. If the Applicant(s) desire to not adjudicate a portion of the Denver Basin ground water the aquifers and amounts, in acre-feet per year, sought to be excluded from the decree must be specified

\_\_\_\_\_.

- D. Applicant certifies (check one as appropriate):

That Applicant(s) own the Subject Property free and clear of all liens and encumbrances and that no other person or entity has a financial interest in the Subject Property. Accordingly, Applicant certifies compliance with the notice requirements of § 37-92-302(2), C.R.S.

All record owners of the Subject Property not listed as Applicants herein, and every person who has a lien or mortgage on, or deed of trust to, Applicant's Property, will be notified of the filing of this Application by certified or registered mail, return receipt requested, no later than 14 days after the filing of this Application. Complete and file with the Court the attached Certificate of Notice as evidence that the required notices were given.

- E. There are \_\_\_\_\_ wells located on the property. Those wells are permitted/registered under well permit no(s).

\_\_\_\_\_.

- F. The application is seeking to adjudicate the existing well(s) located on the property (If this application has more than one applicant, owning or claiming consent for separate parcels of overlying land, the existing wells cannot be adjudicated under this application):  Yes  No.

**An Exhibit 1 must be completed and provided for each well that will be adjudicated, if the Applicant is not seeking to adjudicate a well, Exhibit 1 is not required.**

3. Remarks:

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\_\_\_\_\_  
Signature of Attorney (if any)

\_\_\_\_\_  
Date

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### VERIFICATION

**I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.**

Executed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_  
(date) (month) (year) (city or other location, and state OR country)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

1. Name of well and permit or registration (Attach a copy of the well permit or registration).

Name of Well	Permit or Registration Number

2. **Required** Legal description of well:

**Location information in UTM format (Preferred):**

UTM Zone must be 12 or 13; Units must be Meters; Datum must be NAD83; and Units must be set to true North. Include the source of the UTM coordinates, for example: GPS device; GIS system such as DWR AquaMap or CDSS MapViewer; scaled from USGS topographic map; or other source. In areas having generally recognized street addresses, also include street address, and if applicable, the lot, block, and subdivision. Attach a legible 8 ½ x 11 inch map to this application illustrating location of the structure.

<b>UTM coordinates</b> Northing _____ Easting _____  <input type="checkbox"/> Zone 12 <input type="checkbox"/> Zone 13		
Street Address: _____		
Subdivision:	Lot	Block
Source of UTM's (for example, hand-held Garmin GPS): _____  Accuracy of location displayed on GPS device (for example, accurate to within 200 feet): _____		

**Legal Description Using the Public Land Survey System (PLSS) (Optional; Please include both UTM and PLSS descriptions if known):** Include perpendicular distances from section lines, and indicate ¼ ¼, section number, township, range, meridian and county; mark the location of the structure on a USGS topographic map and attach to this application a legible 8 ½ x 11 inch copy of the applicable portion of the map. In areas where section lines have not been established, a bearing and distance to an established government monument is acceptable. Include the source of PLSS information, for example: GIS system such as DWR AquaMap or CDSS MapViewer; field survey; scaled from USGS topographic map; or other source. In areas having generally recognized street addresses, also include street address, and if applicable, the lot, block, and subdivision.

<b>Legal Description:</b> County _____	_____ 1/4 of the	_____ 1/4	Section _____	Township _____ N or S <input type="checkbox"/> <input type="checkbox"/>	Range _____ E or W <input type="checkbox"/> <input type="checkbox"/>	Principal Meridian _____
Distance from section lines (not from property lines) _____ Feet from <input type="checkbox"/> N <input type="checkbox"/> S and _____ Feet from <input type="checkbox"/> E <input type="checkbox"/> W						
Source of PLSS information: _____						
Street Address: _____						
Subdivision:	Lot	Block				

3. A. Source (Identify aquifer into which well is drilled): \_\_\_\_\_  
 B. Depth to bottom of well: \_\_\_\_\_ feet
4. A. Date of appropriation: \_\_\_\_\_  
 B. How appropriation was initiated: \_\_\_\_\_  
 C. Date water applied to beneficial use: \_\_\_\_\_
5. A. Claimed Pumping Rate: \_\_\_\_\_ gpm  
 B. Amount claimed in acre-feet annually: \_\_\_\_\_
6. Proposed use (A through D must only be completed if the Applicant is seeking to adjudicate an exempt well permitted pursuant to § 37-92-602, C.R.S.):
- A. Number of single-family dwellings served \_\_\_\_\_
- B. Area of lawns and gardens irrigated \_\_\_\_\_  square-feet  acres
- C. Domestic animals watering  Yes  No
- D. Livestock watering on farm/ranch/pasture (property must be 35 or more acres)  Yes  No
- E. Other uses (describe fully):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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<b>Certificate of Notice</b>	

**Note:** § 37-92-302(2)(b), C.R.S. requires that the application shall be supplemented by evidence that the applicant has, within 14 days after filing the application, given notice of the application by registered or certified mail, return receipt requested, to every record landowner of the overlying land and to every person who has a lien or mortgage on, or deed of trust to, the overlying land recorded in the county in which the overlying land is located. Complete this form and file it with the Water Court after the subject notices have been given.

I, \_\_\_\_\_ (insert name) hereby certify that I have provided a copy of the application filed on \_\_\_\_\_ (date) with the Court to the following record owner(s) of the overlying land and person(s) who has a lien or mortgage on, or deed of trust to, the overlying land recorded in the county in which the overlying land is located; and if applicable to the owner(s) of the land upon which any new diversion or storage structure or modification to any existing diversion or storage structure or existing storage pool is or will be constructed or upon which water is or will be stored:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

The application was provided to the landowner(s) by  Certified or  Registered mail, return receipt requested, within 14 days after the application was filed with the Court and is attached to this Notice.

### Signature

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Printed name of Party	Signature/Title	Date
Address	City	State
		Zip Code